

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Z. Chen et al.

Art Unit: 2822

Examiner: Monica Lewis

Serial Number: 10/848,754

Filed: May 18, 2004

Title: TUNNELING EMITTER

Date: December \_\_\_, 2006

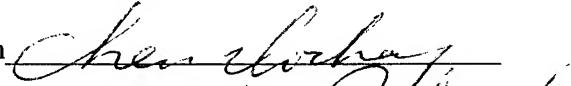
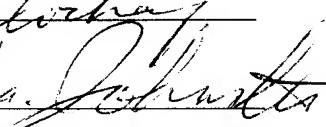
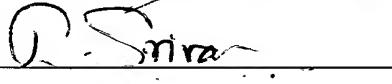
**DECLARATION UNDER 37 CFR §1.131**

As Inventors of the above patent application, we hereby declare that:

The original Invention Disclosure for Hewlett Packard patent disclosure number (PDNO) 10011307 which was combined with Hewlett Packard PDNO 10007794 for the above referenced application was submitted by Applicants Zhizhang Chen, Mark Johnstone, Sriram Ramamoorthi, and Michael Regan and received by the Hewlett-Packard Legal Department after the Dec. 20, 2000 filing date of the Muroyama et al., U.S. Patent Publication No. 2002/0036452 reference. However, as noted in the invention disclosure on the front page, the invention was conceived prior to and built on November 11, 2000 which is prior to the Dec. 20, 2000 filing date of the Muroyama et al. reference.

Accordingly, our invention was diligently reduced to actual practice on or before the filing date of Muroyama et al. reference. This Invention Disclosure for PDNO 10011307 is shown in Exhibit A. This disclosure in the figures clearly show the cathode layer disposed over both the emitting surface and sidewalls of the first and second chambers as claimed.

All statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statement may jeopardize the validity of the application or any patent issued therefrom.

Zhizang Chen		<u>12/15/2006</u>
Mark A Johnstone		<u>12/20/06</u>
Sriram Ramamoorthi		<u>1/3/07</u>
Michael Regan		<u>12/15/2006</u> Date